

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37555 of 2017

Arising Out of PS.Case No. -250 Year- 2016 Thana -KARGAHAR District- SASARAM (ROHTAS)
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1. Uma Shankar Singh @ Bigan Singh,
2. Sanjay Singh, Both sons of Jagdish Singh, Both residents of Village-Agarsi Dihara, P.S.- Karaghar (Badhari O.P.), District-Rothas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh

For the Opposite Party/s : Mr. Sri Manish Kumar 2
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Kargahar (Badhari O.P.)

P.S. Case No. 250 of 2016 instituted for the offence under Sections-
279, 304(A) of the Indian Penal Code.

There is allegation in the written report that the driver of City Ride bus bearing registration No. BR-24B-081 dashed the father of the informant due to which, he sustained grievous injury and died. The petitioner is not named in the written report. The FIR has been lodged after delay of 14 days.

It has been submitted that the petitioner is neither owner of the vehicle nor driver of the vehicle. He has falsely been implicated by the I.O. for which, he has filed the complaint case before the DIG, Shahabad for wrongful conduct of the police. It has further been submitted that one of the co-accused with similar allegation has been



granted anticipatory bail by a coordinate bench of this court vide order dated 18-08-2017 passed in Cr. Misc. No. 38290 of 2017.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Kargahar (Badhari O.P.) P.S. Case No. 250 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Rohtas, Sasaram, Rohtas subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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